

## **MINUTES OF THE TOWN BOARD MEETING**

7:00 p.m., Tuesday, September 2, 2003

Present were Dick Grant, Chairman, Marsha Jones, Supervisor, Steve Peetz, Supervisor; Judy Ashford, Clerk-Treasurer and Tim McCumber, Deputy Clerk/Deputy Treasurer. Grant called the meeting to order and determined that it had been properly noticed. Peetz moved, Grant seconded to approve the minutes of the August 5, 2003, meeting. Motion passed. Grant moved, Jones seconded to accept the financial statements. Motion passed.

### **CITIZEN COMMENT**

Harvey Meyers of Grandview Ave. had just purchased a property and was concerned about the safety of his children because of the blind hill coming from Hwy 78 to the south. Peetz said he would look at the situation. Meyers asked about the moratorium on new applications for pier permits and wanted to know when the moratorium will be considered again. Grant said it was a two year moratorium beginning with the 2003 season and he didn't see a need to revisit the issue until 2005. Meyers said the seller of the property had told him he could put up a pier because he had done so. Meyers also asked about persons interested in purchasing public accesses. Grant said the decision to sell town property can only be made at an annual or special town meeting by the electors of the town. Ken Sorensen, who owns a home on Grandview and has a pier was present to ask the town what he should tell people when they approach him about purchasing accesses. He said that realtors are giving the impression that people can put up piers. Sorensen asked if the pier permitting process had been stopped and Grant said that only new applicants were affected by the moratorium. Nancy Grant asked if Sorensen was aware that any town resident may use the piers erected on the public accesses. Sorensen said he did know that. He has had people wanting to go in with him on his pier, but when they discover they must sign a hold harmless agreement they back off.

### **CORRESPONDENCE**

The clerk noted receipt of several communications having to do with equalized value of the town, annual population, complaints about rental property on Grace St., and notification of a clean sweep program by Sauk Co.

### **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**

McCumber reported that the town website became active on August 18 and that the town had a domain name for free through the State of Wisconsin. The website can be updated on a regular basis and people may apply for a building permit via the web.

Peetz reported he was pleased with the mowing of the cemetery on Hwy 78. Grant said the town was missing several stop and yield road signs. He said those who remove them are liable for criminal and civil penalties. This activity is also vandalism and theft. He urged anyone who had such signs to drop them in the town hall yard or his own yard. Grant said that Dennis Beich, the town's road commissioner, had mentioned holding back \$20,000 in road budget funds for next year, but now that will not be necessary as the work on Owls Head Road can proceed this year.

### **OLD BUSINESS**

### **NEW BUSINESS**

The clerk read notification of cancellation of the public officials liability policy effective Nov. 1, 2003. Northland Insurance will no longer write insurance in Wisconsin. The town's current carrier of the remainder of the insurance needs is MSI and they want to present a public officials

liability policy plan to the town. After discussion the board asked the clerk to have representatives of MSI and Rural Insurance at the Oct. 7 meeting to present their proposals. Jones moved, Grant seconded, to approve the 2004 Merrimac Fire Department budget as it was presented at the August meeting with a levy of \$133,953 to the three municipalities participating in the fire district. The clerk read a letter from Dale Remmers and others who were granted a five year extension to erect a pier with no boat lifts on access #9. The access is not wide enough to permit a pier. Remmers asked for another extension or to purchase the access. Grant moved to extend the agreement for one year. After discussion Grant withdrew his motion. He then moved to notify Remmers that their request was denied. Peetz seconded. Motion passed.

The clerk read three letters from residents on Grace St. regarding a rental property on Grace St. All complained about the conduct of the persons who reside there and want the town to do something about the problem. Grant said the zoning code states that no more than 5 unrelated persons not related by blood or marriage may reside in a residential home. There are three people living there now so the ordinance can't help the town address the problem. Grant has discussed the issue with legal counsel who said that in some places a residence has been deemed a nuisance residence by the board. He said the matter was frustrating and that perhaps the property owners, Richard and Carol Baier, are not aware of all of the problems. He suggested copies of all of the letters of complaint received so far along with copies of the sheriff's report of two disturbances and copies of town minutes be forwarded to the Baiers to see if they would take some action. McCumber said he had arranged for a bridge loan to cover the purchase of the Clingman property. The loan is available through the National Heritage Land Trust for one year to allow the town time to raise the remaining \$45,000 needed to complete the purchase. The town has received a grant of \$195,000 and raised \$20,000 in cash donations. Closing on the property will take place near the end of September. Tim asked the board to permit he and Grant to represent the town and to allow the chair to act as agent for the town, to set the closing date, interest rates and terms of the loan. Peetz so moved, Jones seconded. Motion passed.

The town received requests for comments on two Sauk Co. Board of Adjustment Hearings on properties in the town. Grant said the county appreciates local input on these matters so that they know what involvement and action the town has taken prior to their consideration of hearing requests. Grant asked permission to appear at the Sept. 25 hearing in the matter of clearing and grading within 300 feet of water at Bay Road. He wants the board to know that the town approved the PAD for Lake View Estates both at the Planning and Zoning and board levels. SWS will file a condo plat under a Chapter 30 permit from the DNR and the town also approved that. The second hearing is requested by Craig Hamilton, who has a steep driveway within 1000 feet of the shoreline. He and his adjoining neighbor need to do some work on the driveway. Grant wants to appear at the hearing to explain that the town has no driveway ordinances and that both houses have always had a driveway and the town wants them to continue to have one. Grant said he would not testify beyond the facts that have been determined already. Grant appointed Ben Malin and Gene Gibbs as alternates to the town's Board of Appeals. Peetz moved, Jones seconded, to approve the appointments..

#### **ADJOURNMENT**

Peetz moved to adjourn; Jones seconded. Motion passed.

**Town Officers:** Richard Grant, Chair, 493-2106; Marsha Jones, Supervisor, 644-0506; Steve Peetz, Supervisor, 493-2669; Judy Ashford, Clerk-Treasurer, 493-2588; Tim McCumber, Deputy Clerk/Deputy Treasurer and Zoning Administrator, 643-6332. **Assessor:** Steve Mahlik, Equity Appraisal, LLC, 608/826-0009. E-mail address: [townmerr@merr.com](mailto:townmerr@merr.com). **Note: Building permits are required in the Town of Merrimac. Please contact any of the above listed people with questions.**